IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

OP.No. 21633 of 2001(A)

PETITIONER:

RAJANI.K., W/O.E.V.KUNHIKRISHNAN,
AGED 26, VISHNUMANGALAM, PULLOOR
VILLAGE, HOSDURG TALUK, KASARGOD DT.

BY ADV. SRI.M.RAMESH CHANDER
SRI.M.VIJAYAKUMAR

RESPONDENTS:
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1. GOVERNMENT OF KERALA, REP. BY
SECRETARY TO GOVT., PUBLIC (SERVICES-D)
DEPARTMENT, TRIVANDRUM.

2. KERALA PUBLIC SERVICE COMMISSION,
REP. BY ITS SECRETARY, PATTOM,
TRIVANDRUM.

ADDL. RESPONDENT:

3. MAKHANLAL CHATURVEDI RASHTRIYA
PATRAKARITA VISHWAVIDYALAYA, BHOPAL
REP. BY ITS REGISTRAR.

(ADDL. R3 IS IMPLEADED AS PER ORDER DT.14.3.2007
IN C.M.P. NO.36455/2001.)
R2 BY SRI.P.C.SASIDHARAN, SC, KPSC
R3 BY ADV. SRI.NAIR AJAY KRISHNAN
SRI.NAGARAJ NARAYANAN
SRI.RAJAN VELLOTH
SRI.SAIJO HASSAN
R1 BY GOVERNMENT PLEADER SMT.R.BINDU

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.35233/2001 IN O.P. NO.21633/2001

DISMISSED:

14.3.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF STATEMENT OF MARKS OBTAINED BY THE PETITIONER FOR DIPLOMA IN COMPUTER SCIENCE DT.26.10.1998.

P2: TRUE COPY OF CERTIFICATE ISSUED TO THE PETITIONER.

P3: TRUE COPY OF OFFICE MEMORANDUM OF UNIVERSITY GRANTS COMMISSION DT.27.11.92.

P4: PHOTOCOPY OF LETTER ISSUED BY ASSOCIATION OF INDIAN UNIVERSITIES, NEW DELHI DT.16.5.2000.

P5: TRUE COPY OF COMMUNICATION DT.11.7.95 ISSUED BY ASSOCIATION OF COMMONWEALTH UNIVERSITIES.

P6: TRUE COPY OF LETTER DT.29.7.99 OF THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY.

P7: TRUE COPY OF COMMUNICATION DT.17.6.1965 OF GOVT. OF KERALA.

P8: TRUE COPY OF COMMUNICATION DT.4.7.2000.

P9: .DO. DT.25.11.2000 OF THE SECRETARY, PSC, TRIVANDRUM.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.21633 of 2001

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Dated this the 14th day of March, 2007.

JUDGMENT

The petitioner has taken Diploma in Computer Applications through distant education conducted by additional third respondent-University. According to the petitioner, PSC has not approved the Diploma course passed by the petitioner as equivalent to PGDCA awarded by M.G. and Cochin Universities in Kerala. Standing Counsel for PSC submitted that PSC is accepting Degrees and Diplomas awarded by all statutory Universities. Counsel appearing for third respondent-University submitted that it is a statutory University and so much so, Diploma awarded by it should be acceptable to PSC. In view of the claim by the said University, PSC has to necessarily accept petitioner's Diploma as equivalent to PGDCA awarded by Cochin and M.G. Universities. Since specific decision is not taken by the PSC, it is for the petitioner to produce the certificate issued by third respondent before the PSC at the time of making application for them to consider petitioner's qualification as equivalent to PGDCA. Since academic standards in the Universities are not uniform, I am of the view that PSC should conduct written test for the post applied for in the subjects

involved so that learning and qualification of a candidate are reflected in the test result itself which will ensure that only qualified people get selected. It is upto the P.S.C. to consider this.

The O.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms